

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE VEECO INSTRUMENTS INC. : 05 MD 1695 (CM)(GAY)
SECURITIES LITIGATION :
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THIS DOCUMENT RELATES TO:
SECURITIES LITIGATION :
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**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS'
MOTION IN LIMINE TO PRECLUDE TESTIMONY OF ROBERT W. BERLINER**

**(FILED UNDER SEAL PURSUANT TO CONFIDENTIALITY ORDER
DATED MAY 16, 2006)**

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June 22, 2007